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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/081,274 | 02/21/2002 | Ken Masumitsu | JP920000471US1 | 9785 |
| 48062 7590 04/10/2007 RYAN, MASON & LEWIS, LLP 1300 POST ROAD SUITE 205 FAIRFIELD, CT 06824 | | | EXAMINER KIM, JUSTIN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2623 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/081,274

Applicant(s)

MASUMITSU ET AL.

Examiner

Justin Kim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 05/28/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This action is in response to Applicant's communication filed on 2/21/2002.

Claims 1-19 are pending and presented for examination.

Priority

Acknowledgment is made of Applicant's claim for foreign priority based on an application filed in Japan on 3/2/2001. It is noted, however, that Applicant has not filed a certified copy of the Japan patent application No. 2001-58807 as required by 35 U.S.C. 119(b).

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 05/28/2004 has been considered by Examiner and made of record in the application file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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1. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Abecassis (US 6,408,128).

Regarding **claim 1**, Abecassis discloses a content digest system comprising:

“a content provider comprising content, wherein the content provider furnishes meta data describing the content to a digest server” reads on Abecassis (FIGS. 4-5; col. 2, lines 23-27; col. 16, lines 19-25 and also see col. 11, line 60 through col. 12, line 1);

“the digest server comprising a content digest for the content, wherein the digest server converts the meta data into characteristic values (reads on discussion of Abecassis in col. 19, lines 35-55), wherein the digest server calculates an importance level for each of a plurality of content segments (reads on discussion of Abecassis in col. 56, lines 49-54), wherein each of the plurality of content segments correspond [*sic*] to at least one of the characteristic values (reads on aforementioned discussion of Abecassis in see col. 19, lines 35-55), and wherein the digest server generates the content digest by using the importance levels, the content digest comprising at least one of the content segments (reads on discussion of Abecassis in col. 16, lines 26-36; col. 21, lines 31-45)”; and

“a client, wherein the client receives the content digest” reads on discussion of Abecassis (see col. 28, lines 4-21, col. 39, lines 6-12).

Regarding **claim 2**, the claimed limitation, wherein “the digest server uses determined content scores, which correspond to characteristic values, for each of the content segments to determine the importance levels” is further met by discussion of Abecassis (see FIGS. 5A, 5B, 5C, 5D, and 5E; see also col. 16, lines 19-25; col. 18, lines 47-53).

Regarding **claim 3**, the claimed limitation, wherein “the digest server determines a current determined content score for a current content segment based on determined content scores for similar content segments, the similar content segments determined through a measure comparing frequencies of a plurality of characteristic values for the current content segment with frequencies of a plurality of characteristic values for previously shown content segments” is further met by teachings of Graves et al. (US 5,410,344) incorporated by reference in Abecassis at col. 40, line 9 (see Graves et al. at col. 6, lines 26-34; col. 8, lines 57-64; and col. 9, lines 4-34).

Regarding **claim 4**, wherein the client includes a user profile having user profile content scores for at least one viewed content segment for a user (reads on discussions in both Graves et al. at col. 9, lines 13-22 and Abecassis at col. 5, lines 26-34), and wherein the digest server calculates importance levels for the at least one viewed content segment based on a probability and based on the current determined content score for the at least one viewed content segment, a user profile content score for the at least one viewed content segment, or both the current determined content score and the user profile content score (reads on teachings in both Graves et al. at col. 6, lines 26-34; col. 9, lines 4-34 and Abecassis at col. 42, lines 49-61), wherein the probability is determined from at least one of a plurality of frequencies, each of the frequencies indicating how often a characteristic value occurs in the content segment (reads on discussions in both Graves et al at col. 8, lines 57-64 and Abecassis at col. 35, lines 6-24).

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Regarding **claim 5**, Abecassis discloses a content digest system, for preparing a predetermined digest for content provided by a content provider and for providing the predetermined digest, comprising: importance level estimation means (assessing of relative importance of segments), for estimating an importance level for each of a plurality of content segments (reads on discussion of Abecassis at col. 56, lines 49-54 and see also teachings of Graves et al. at col. 6, lines 26-34; col. 9, lines 4034); profile identification means (analyzing user preference) for identifying the user profile of a user who has received content (reads on Abecassis at col. 41, 8-22; col. 58, lines 45-51); and update means (updating routines) for updating, based on the user profile, the importance level of at least one of the plurality of content segments (reads on discussions in both Abecassis at col. 39, lines 7-12 and Graves et al. at col. 6, lines 60-62; col. 7, lines 37-54; col. 9, lines 13-22).

Regarding **claim 6**, see claim analysis of **claim 3**.

Regarding **claim 7**, see claim analysis of **claim 4**.

Regarding **claim 8**, Abecassis discloses the claimed video digest system for providing a video digest for a user comprising: a meta data characteristic value database adapted to store characteristic values obtained from meta data included in video content (reads on Abecassis at col. 2, lines 23-27; col. 19, lines 35-55); an importance level calculator adapted to estimate an importance level for each of a plurality of scenes in the

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video content, and adapted to determine the importance level for a scene based on a determined content score for the scene (reads on disclosures in both Abecassis at col. 56, lines 49-54 and Graves et al. at col. 4, lines 28-35; col. 6, lines 26-34; col. 9, lines 4-34), a user profile content score for the scene, or both the determined content score and the user profile content score; and a video digest data generator, for selecting, based on the importance levels, a predetermined number of scenes, for sorting the selected scenes along the time axis, and for generating video digest data (reads on teachings in both Abecassis at col. 19, lines 5-22; col. 24, lines 24-35; col. 71, line 63 through col. 72, line 11 and Graves et al. at col. 4, lines 22-51).

Regarding **claim 9**, see claim analysis of **claim 3**.

Regarding **claim 10**, see claim analysis of **claim 4**.

Regarding **claim 11**, the claimed limitation, “wherein the video digest data generator defines a threshold value based on the length of the time required for a video digest and sorts along a time axis the scenes that are selected based on the importance levels and the threshold value, and thereby provides a video digest” reads on teachings of in both Abecassis at col. 57, lines 7-13; col. 72, lines 1-11 and Graves et al. at col. 5, lines 17-18; col. 8, lines 12-19.

Regarding **claims 12-13**, Abecassis discloses the claimed user terminal comprising: pre-viewing transmission means (previewer), for transmitting information for predetermined content that is selected by a user from a received content list (reads on Abecassis at col. 2, line 42-48), and in accordance with a video digest time length desired by the user (reads on Abecassis at col. 57, lines 7-24); reception means (user-interfacing), for receiving, following the reception of the information and the time length, a video digest and meta data from a content provider (reads on discussions of Abecassis at col. 16, lines 26-36; col. 21, lines 31-45); and post-viewing transmission means (updating) for transmitting results that are obtained from the user who has viewed and listened to the video digest (reads on teachings of Graves et al. at col. 6, lines 60-62; col. 7, lines 37-54; col. 9, lines 13-22).

Regarding **claim 14**, Abecassis discloses the claimed video digest generation method comprising the steps of: using a characteristic value for meta data to represent each of multiple scenes that constitute content, wherein each scene corresponds to at least one characteristic value (reads on Abecassis at col. 2, lines 23-27; col. 19, lines 35-55); calculating frequencies, each frequency indicating how many times a characteristic value of the meta data appears in the content (reads on teachings in both Abecassis at col. 35, lines 6-24 and Graves et al. at col. 8, lines 57-64); calculating a video importance level for each scene based on a probability and based on a determined content score for the scene, a user profile content score for the scene, or both the determined content score and the user profile content score, wherein the probability is determined from at least one of

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the frequencies (reads on discussions in both Graves et al. at col. 6, lines 26-34; col. 9, lines 4-34 and Abecassis at col. 56, lines 48-54); selecting a predetermined number of scenes, based on the obtained video importance level (reads on Abecassis at col. 16, lines 28-36 and FIG. 5A-5E); and generating a video digest from the predetermined number of scenes (reads on Abecassis at col. 21, lines 32-45 and FIG. 7G for summary of desired program).

Regarding **claim 15**, see claim analysis of **claim 3**.

Regarding **claim 16**, the claimed video digest generation method, wherein the determined content scores are based on user profiles obtained for multiple users who have viewed and listened to the video digest reads on Abecassis (see col. 24, lines 51-59).

Regarding **claim 17**, the claimed video digest generation method, wherein the video digest is generated by selecting a predetermined number of scenes based on a video digest time length received from a user to whom the video digest is to be distributed reads on Abecassis (see col. 57, lines 7-24).

Regarding **claim 18**, Abecassis discloses the claimed video digest reception method comprising the steps of: transmitting a user profile that includes information for

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content desired by a user, information for a video digest time length for viewing and listening (reads on Abecassis at col. 57, lines 7-24); and receiving a video digest comprising multiple scenes, sorted along a time axis, that constitute content that reflects the video digest time length, and meta data included in each of the scenes (reads on Abecassis at col. 21, lines 32-45; col. 57, lines 7-24).

Regarding **claim 19**, the claimed step of transmitting information that is obtained from the user as a result of viewing and listening to the video digest reads on discussions of Abecassis at col. 42, lines 49-61 (see also Graves et al. at col. 6, lines 60-62; col. 7, lines 37-54; col. 9, lines 13-22).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin Kim whose telephone number is (571) 272-9282. The examiner can normally be reached on 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JHK
3/29/07


**HAI TRAN
PRIMARY EXAMINER**